

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, NOVEMBER 8, 2012****Invocation: Reverend Charles Kullmann, Pastor, St. Austin Catholic Church**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, November 8, 2012 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:09 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council special called meeting of October 27, 2012, work session meeting of October 30, 2012 and regular meeting of November 1, 2012.
The minutes from the City Council special called meeting of October 27, 2012, work session of October 30, 2012 and regular meeting of November 1, 2012 were approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

Items 2 and 3 were pulled for discussion.

4. Approve an ordinance suspending an increase in water and wastewater rates proposed by PK-RE Development Company, Inc. for its customers in the corporate limits of the City of Austin located in the area known as Greenshores on Lake Austin.
Ordinance No. 20121108-004 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
5. Approve a resolution requesting that the Lower Colorado River Authority seek an Emergency Order from the Texas Commission on Environmental Quality for 2013 to protect municipal drinking water supplies during the ongoing drought.
Resolution No. 20121108-005 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
6. Approve a resolution authorizing acceptance of grants from the Federal Aviation Administration, the Department of Homeland Security, and other agencies of the United States Government in an amount not to exceed \$30,000,000 to the City of Austin, Department of Aviation, for Austin-Bergstrom International Airport for Fiscal Year 2012-2013.
Resolution No. 20121108-006 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

Item 7 was set for a time certain of 4:00 p.m.

8. Authorize ratification of a construction contract change order with CHASCO CONSTRUCTORS, LTD., for emergency work necessary to protect the public health and safety on the William Cannon Bridge over Onion Creek Phase 2 Project in the amount of \$237,000, for a total contract amount not to exceed \$2,803,329. (Notes: This contract was awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 6.97% MBE and 9.84% WBE subcontractor participation to date including this change order)
The motion to ratify a construction contract change order with Chasco Constructors, Ltd. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
9. Authorize negotiation and execution of an amendment to the professional services agreement with FOUND DESIGN LLC, dba MERJE, to provide additional professional services for the Downtown Austin Wayfinding project in the amount of \$86,154 for a total contract not to exceed \$319,154. (Notes: This contract was awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 18.00% MBE and 28.00% WBE subconsultant participation to date)
This item was postponed on consent to December 6, 2012 on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
10. Authorize additional funding in the amount of \$700,000 for a total contract authorization amount not to exceed \$62,636,710 for all remaining construction phase services to the Construction Manager at Risk Agreement with DPR Construction, Inc., for the Austin Energy System Control Center project. (Notes: The Construction Manager at Risk contract and approved Amendments have been awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program.))
The motion authorizing the additional funding for all remaining construction phase services to the Construction Manager at Risk Agreement with DPR Construction, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
11. Authorize execution of change order #4 to the construction contract with STR CONSTRUCTORS, LTD., for the Morris Williams Golf Course Pro Shop/Cart Barn project in the amount of \$82,645 plus a \$50,000 contingency, for a total contract amount not to exceed \$2,273,260. (Notes: This contract was awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 9.47% MBE and 1.24% WBE subcontractor participation to date including this change order.)
The motion authorizing the execution of change order number four to the construction contract with STR Constructors, Ltd. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
12. Approve an ordinance setting the assessment rate and approving a proposed 2013 assessment roll for the Austin Downtown Public Improvement District (PID). Related to Items #13 & 61.
Ordinance No. 20121108-012 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
13. Approve a resolution adopting the Austin Downtown Public Improvement District (PID) Service Plan and Budget for 2013-2014. Related to Items #12 & 61.
Resolution No. 20121108-013 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

14. Approve an ordinance setting the assessment rate and approving a proposed 2013 assessment roll for the E. 6th Street Public Improvement District (PID). Related to Items #15 & 62.
Ordinance No. 20121108-014 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
15. Approve a resolution adopting the E. 6th Street Public Improvement District (PID) Service Plan and Budget for 2013. Related to Items #14 & 62.
Resolution No. 20121108-015 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

Item 16 was pulled to be heard after the related Executive Session item.

17. Approve a resolution authorizing negotiation and execution of state legislative representative services contracts for a total combined amount not to exceed \$805,000.
Resolution No. 20121108-017 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
18. Approve a resolution authorizing negotiation and execution of federal representative services contracts for a total combined amount not to exceed \$270,000.
Resolution No. 20121108-018 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
19. Authorize negotiation and execution of a new contract with FRONT STEPS, INC. for Rapid Rehousing services to homeless individuals and families in an amount not to exceed \$221,107 for the period October 1, 2012 through September 30, 2014.
The motion authorizing the negotiation and execution of a new contract with Front Steps, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
20. Authorize negotiation and execution of an interlocal agreement with THE UNIVERSITY OF TEXAS AT AUSTIN-RAY MARSHALL CENTER to evaluate the Federal Stimulus Grant Homelessness Prevention and Rapid Rehousing Program for an 11-month term from November 1, 2012 through September 30, 2013 in a total amount not to exceed \$50,000.
The motion authorizing the negotiation and execution of an interlocal agreement with The University of Texas at Austin-Ray Marshall Center was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

Items 21 and 22 were pulled for discussion.

23. Authorize execution of a 12-month interlocal agreement with the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, BUREAU OF VITAL STATISTICS, for remote certification of vital records for a one-year term beginning October 1, 2012 in an amount not to exceed \$100,000, with four 12-month extension options not to exceed \$120,000 per extension option.
The motion authorizing the execution of an interlocal agreement with the Texas Department of State Health Services, Bureau of Vital Statistics, was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
24. Approve a resolution authorizing the Parks and Recreation Department to submit a grant application with the Texas Parks and Wildlife Department (TPWD) for an Outdoor Urban Recreation Grant in the amount of \$194,000 to develop facilities and resources at Del Curto Park.
Resolution No. 20121108-024 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

25. Approve an ordinance annexing the Westlake Crossroads/Loop 360 Right-of-Way area for full purposes, (approximately 163 acres in Travis County at the southeast corner of the intersection of Loop 360 and Westbank Drive including approximately two and a half miles of Loop 360 right of way between the intersection of Bee Caves Road and Walsh Tarlton Lane), and approving a service plan.
Ordinance No. 20121108-025 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
26. Approve an ordinance annexing the Parmer Lane Luxury Apartments annexation area for full purposes, (approximately 71 acres in northern Travis County east of Parmer Lane north of the intersection of Parmer Lane and Legendary Drive), and approving a service plan.
Ordinance No. 20121108-026 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
27. Approve an ordinance annexing the Circuit of the Americas annexation area for full purposes (approximately 1,521 acres in Travis County south of Pearce Lane approximately one half mile east of the intersection of Pearce Lane and Ross Road), and approving a service plan. Related to Item #28.
Ordinance No. 20121108-027 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
28. Approve an ordinance adopting the Diane S Myers Family Trust Annexation and Development Agreement for approximately 206 acres in southern Travis County at the northeastern corner of the intersection of Elroy Road and Fagerquist Road. Related to Item #27.
Ordinance No. 20121108-028 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
29. Approve an ordinance annexing the Avaña Phase 1 annexation area for full purposes, (approximately 28 acres in northeastern Hays County approximately one mile south of the intersection of State Highway 45 and Escarpment Blvd), and approving a service plan.
Ordinance No. 20121108-029 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
30. Approve an ordinance annexing the Upper Bear Creek COA Parcels annexation area for full purposes (approximately 1,102 acres in southwestern Travis County and northeastern Hays County east of South Mopac Expressway at the intersection of South Mopac Expressway and State Highway 45), and approving a service plan.
Ordinance No. 20121108-030 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

Item 31 was set for a time certain of 2:00 p.m.

32. Approve an ordinance annexing the Greyrock Ridge annexation area for full purposes, (approximately 178 acres in southwestern Travis County south of the intersection of South Mopac Expressway and State Highway 45), and approving a service plan.
Ordinance No. 20121108-032 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
33. Approve an ordinance annexing the Wells Fargo Tract area for full purposes, (approximately 161 acres in Travis County at the southwest corner of the intersection of US Highway 290 East and State Highway 130), and approving a service plan.
Ordinance No. 20121108-033 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

34. Approve an ordinance annexing the Lynnbrook Drive annexation area for full purposes, (approximately 16 acres in southern Travis County north and south of Lynnbrook Drive approximately one quarter mile west of the intersection of Old Manchaca Road and Lynnbrook Drive), and approving a service plan.
Ordinance No. 20121108-034 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

Items 35 and 36 were pulled for discussion.

37. Authorize negotiation and execution of an interlocal agreement between the City of Austin, the City of El Paso, the City of Houston, the City of San Antonio, and Collin County, Texas for the sharing by the parties' respective law enforcement and criminal justice departments of law enforcement information via the COPLINK connectivity system.
The motion authorizing the negotiation and execution of an interlocal agreement between the City of Austin, the City of El Paso, the City of Houston, the City of San Antonio, and Collin County was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
38. Approve a resolution authorizing the submission of applications for grants under the Texas Department of Transportation (TxDOT) Transportation Enhancement Program for a Bicycle Traffic Signal and Detection grant and a Safe Routes to School Sidewalk grant for a total amount not to exceed \$550,000.
Resolution No. 20121108-038 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
39. Approve a resolution declaring the City of Austin's official intent to reimburse itself from Contractual Obligations in the amount of \$3,347,000 for the purchase of vehicles and equipment necessary for street and transportation system maintenance. Related to Item #40.
Resolution No. 20121108-039 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
40. Approve an ordinance amending the Fiscal Year 2012-2013 Public Works Department Capital Budget (Ordinance No. 20120910-002) to appropriate \$3,347,000 in funds from the issuance of contractual obligations for the purchase of vehicles and equipment necessary for street and transportation system maintenance. Related to Item #39.
Ordinance No. 20121108-040 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
41. Authorize award and execution of a 36-month Professional Services contract with the Law Office of Hubert Bell Jr., Akers & Boulware-Wells, LLP, Pamela S. Lancaster, and Ronald L. Johnson to provide grievance hearing officers for the Employee Relations Division of the Human Resource Department in an estimated amount not to exceed \$168,000, with three 12-month extension options in an estimated amount not to exceed \$56,000 per extension option, for a total estimated contract amount not to exceed \$336,000. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)
The motion authorizing the award and execution of a professional services contract with the Law Office of Hubert Bell Jr., Akers & Boulware-Wells, LLP was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
42. Authorize award, negotiation, and execution of a services contract with LUCIDITY CONSULTING GROUP, to provide technical consulting and advisory services for the newly deployed Customer Care and Billing System software in the amount of \$249,000, plus a contingency of \$51,000 for a total contract amount not to exceed \$300,000. (Notes: This contract will be awarded in compliance with Chapter 2-9C

of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award, negotiation and execution of a services contract with Lucidity Consulting Group was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

Items 43 and 44 were pulled for discussion.

45. Approve an ordinance authorizing the replacement of the Letter of Credit and Reimbursement Agreement between the City of Austin and Bank of America related to the \$350,000,000 City of Austin, Texas Combined Utility Systems Commercial Paper Notes, Series A program, with Letter of Credit and Reimbursement Agreements issued by JPMorgan and State Street, and authorizing all necessary related documents, actions, and fees.

Ordinance No. 20121108-045 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

46. Approve an ordinance authorizing (i) the replacement of the two separate Letter of Credit and Reimbursement Agreements between the City of Austin and JPMorgan and Bank of America related to \$112,960,000 in currently outstanding City of Austin, Texas, Hotel Occupancy Tax, Subordinate Lien Variable Rate Revenue Refunding Bonds, Series 2008A&B, with a single Letter of Credit and Reimbursement Agreement issued by JPMorgan, and (ii) all necessary related document actions, and fees.

Ordinance No. 20121108-046 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

47. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointments were approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

Nominations

Board/Nominee

Nominated by

Animal Advisory Commission

David Pasztor

Council Member Riley

Public Safety Commission

Reynaldo Moreno

Council Member Martinez

48. Approve a resolution directing the City Manager to support community efforts to provide emergency safe sleep shelter for single women. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Kathie Tovo CO 2: Council Member Chris Riley)

Resolution No. 20121108-048 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

49. Approve a resolution directing the City Manager to study the feasibility of a new civil penalty ordinance for unlawfully passing a stopped school bus that is operating certain visual signals while loading and unloading students and determine the appropriate roles and responsibilities for the City and any school districts related to enforcing and administering such an ordinance. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Kathie Tovo)

Resolution No. 20121108-049 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

50. Approve a waiver of certain additional fees under City Code Chapter 14-8 for the 5th annual 5K and 1K Run/Walk event sponsored by St. James Missionary Baptist Church which is to be held on Saturday, March 30, 2013 beginning and ending at St. James Missionary Baptist Church. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member Chris Riley)

The motion to approve a waiver of certain additional fees for the 5th annual 5K and 1K Run Walk event sponsored by St. James Missionary Baptist Church was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

Items 51 through 53 were pulled for discussion.

Item 54 was set for a time certain of 4:00 p.m.

55. Approve a resolution directing the City Manager to collaborate with event organizers to implement bicycle parking at 2013 City co-sponsored events. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez)

Resolution No. 20121108-055 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

56. Approve the waiver of certain closure notice requirements that allow affected individuals and neighborhood associations to object to street closures under City Code Chapter 14-8 for the 2013 LIVESTRONG Austin Marathon & Half Marathon and Paramount 5K which is to be held on Sunday, February 17, 2013. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez)

The motion to approve the waiver of certain closure notice requirements that allow affected individuals and neighborhood associations to object to street closures for the 2013 Livestrong Austin Marathon & Half Marathon and Paramount 5K was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

57. Approve the waiver of certain closure notice requirements that allow affected individuals and neighborhood associations to object to street closures under City Code Chapter 14-8 for the 2013 3M Half Marathon which is to be held on Sunday, January 13, 2013. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley)

The motion to approve the waiver of certain closure notice requirements that allow affected individuals and neighborhood associations to object to street closures for the 2013 3M Half Marathon was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

58. Approve a resolution directing the City Manager to enter into discussions with Emergency Service District 11 and other potential stakeholders to ensure that there is consistent fire protection coverage and medical response in the Circuit of Americas annexation territory; and, following the first Circuit of the Americas event, to conduct an analysis of fire protection medical response call volumes and response times during the event, in both the Circuit of the Americas annexation area as well as the adjacent Emergency Service District 11 territory, and to develop recommendations for addressing any service delivery shortcomings within these areas. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley CO 2: Council Member William Spelman)

Resolution No. 20121108-058 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

59. Approve a resolution directing the City Manager to work with the Community Development Commission and stakeholders to develop recommendations regarding relocation standards and to identify the

feasibility of and mechanisms for implementing these standards in zoning and demolition permit applications. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Kathie Tovo) **Resolution No. 20121108-059 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.**

60. Set a public hearing to consider a resolution regarding the change in use and conveyance of approximately 17,279 square feet of land in fee simple to Steve and Michele Turnquist through the Balcones Canyonland Preserve (BCP) tract known as Cortana located along River Place Boulevard, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time, December 6, 2012, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for December 6, 2012 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX.
61. Set a public hearing to consider the Austin Downtown Public Improvement District (PID) 2013 assessments. (Suggested date and time: December 6, 2012, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items #12 & 13.
The public hearing was set on consent for December 6, 2012 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX.
62. Set a public hearing to consider the E. 6th Street Public Improvement District (PID) 2013 assessments. (Suggested date and time: December 6, 2012, 4:00p.m., at Austin City Hall, 301 W. Second Street, Austin, TX). Related to Items #14 & 15.
The public hearing was set on consent for December 6, 2012 at 4:00 p.m., City Hall at 301 W. Second Street, Austin, TX.
98. Approve a resolution directing the City Manager to evaluate the potential for early termination by mutual agreement of the lease at 2818 San Gabriel Street to the Arc of the Capital Area, to assess potential city uses for the site, and to quantify the public benefit to the City of its taking occupancy of 2818 San Gabriel Street before expiration of the existing lease. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Chris Riley)
Resolution No. 20121108-098 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.

Items 63 and 64 were Eminent Domain items.

Item 65 was a briefing item set for 10:30 a.m.

Items 66 through 68 were Executive Session items.

Items 69 and 70 were bond sale items set for 2:00 p.m.

Items 71 through 84 were zoning items set for 2:00 p.m.

Item 85 was an AFHC meeting set for 3:00 p.m.

Items 86 through 97 were public hearing items set for 4:00 p.m.

Item 98 was an addendum.

BRIEFING

65. Briefing on Downtown Austin Wayfinding Master Plan

The presentation was made by Tonya Swartzendruber, Planner Senior, Planning and Development Review Department and John Bosio, MERJE.

EMINENT DOMAIN

Items 63 and 64 were taken on a combined motion. This vote applies to all units of property (Items 63 and 64) to be condemned.

63. Approve a resolution authorizing the filing of eminent domain proceedings for the construction of the 345 kV Austrop to Dunlap Transmission Line Project to acquire a 4.433 acre electric easement out of the James Gilleland Survey No. 13, Abstract No. 12, Travis County, Texas, in the amount of \$65,856. The owner of the needed property interest is Club Deal 120 Whisper Valley, LP. The general route of the project runs west from the Austrop Substation located on Blake-Manor Road to the Dunlap Substation that is under construction east of Taylor Lane. The easements being acquired run along and parallel to the south side of an existing City of Austin electric transmission easement. Related to Item #64.

Resolution No. 20121108-063 was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

64. Approve a resolution authorizing the filing of eminent domain proceedings for the construction of the 345 kV Austrop to Dunlap Transmission Line Project to acquire a 3.662 acre electric easement out of the James Gilleland Survey No. 13, Travis County, Texas in the amount of \$39,453. The owners of the needed property interest are Fannie Ruth Salyer, et al; Sylvia Gay Meyer; and Don Allen Salyer. The general route of the project runs west from the Austrop Substation located on Blake-Manor Road to the Dunlap Substation under construction east of Taylor Lane. The easements being acquired run along and parallel to the south side of an existing City of Austin electric transmission easement. Related to Item #63.

Resolution No. 20121108-064 was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

DISCUSSION ITEMS

2. Approve issuance of a rebate to Mira Vista-PCF, Ltd. for performing comprehensive energy efficiency upgrades at Mira Vista Apartments in an amount not to exceed \$200,000.

The motion to approve the issuance of a rebate to Mira Vista-PCF, Ltd. was approved on Council Member Tovo's motion, Council Member Spelman's second on a 7-0 vote.

21. Authorize negotiation and execution of a 12-month social service contract with RIVER CITY YOUTH FOUNDATION for youth services in the 78744 zip code area in an amount not to exceed \$73,000 for the period beginning October 1, 2012 through September 30, 2013.

The motion authorizing the negotiation and execution of a social service contract with River City Youth Foundation was approved on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.

22. Approve negotiation and execution of a contract with COUNCIL ON AT-RISK YOUTH for youth services, for a twenty three-month term beginning on November 1, 2012 through September 30, 2014, in an amount not to exceed \$400,000, with two twelve-month extension options in the amount of \$200,000 per extension option, for a total contract amount not to exceed \$800,000.

The motion authorizing the negotiation and execution of a contract with Council on At-Risk Youth for the period beginning October 1, 2012 through September 30, 2013 was approved on Council Member Martinez' motion, Council Member Morrison's second on a 6-1 vote. Mayor Leffingwell voted nay.

3. Approve amendments to administrative rules for City Code Chapter 15-6 (Solid Waste Service) regarding single-use carryout bags.
The motion to approve the amendments to administrative rules for Solid Waste Service was approved on Council Member Tovo's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
43. Approve an ordinance amending City Code Chapter 13-5 relating to provision of valet parking services, amending license and permit requirements, and amending penalty provisions.
Ordinance No. 20121108-043 was approved on Mayor Pro Tem Cole's motion, Council Member Tovo's second on a 7-0 vote.
44. Approve an ordinance amending Ordinance No. 20120910-003 to revise the Fiscal Year 2012-2013 Austin Transportation Department Fee Schedule regarding the use of parking spaces to provide valet services.
Ordinance No. 20121108-044 was approved on Mayor Pro Tem Cole's motion, Council Member Tovo's second on a 7-0 vote.
53. Approve a resolution directing the City Manager to include veteran business enterprises in the disparity study analysis to be conducted by the City, and upon sufficient evidence of a disparity, return to Council with a program to address the disparity. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Mayor Lee Leffingwell)
Resolution No. 20121108-053 was approved on Council Member Martinez' motion, Mayor Leffingwell's second on a 7-0 vote.

CITIZEN COMMUNICATIONS: GENERAL

Paul Robbins- City issues

Gus Peña- 1.) Remember all Veterans on Veterans Day. Thank them for their service to our Country. You will have the day off. A lot of us Veterans will not. 2.) Happy Birthday to our United States Marine Corps on November 10. We were born on November 10, 1775. Semper Fidelis. 3.) Our Veterans need jobs, re-entry counseling, P.T.S.D. treatment, a house, our families need help especially our female Veterans with families. Show your support. **Not present when name was called.**

Ronnie Reefersseed- Peace, freedom, fluoride and the killgrid.

Tom Jones- Corruption at City Hall

Linda Greene- The politics of water fluoridation and the Pew charitable trust.

Walter Olenick- Water fluoridation

Rae Nadler-Olenick- Water fluoridation

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 12:17 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

68. Discuss the retirement of the City Clerk (Personnel matter - Section 551.074).

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 1:59 p.m.

DISCUSSION AND POSSIBLE ACTION ON BOND

Items 69 and 70 were acted on in a combined motion.

69. Approve an ordinance authorizing the issuance of City of Austin Electric Utility System Revenue Refunding Bonds, Taxable Series 2012B, in a par amount not to exceed \$125,000,000 by December 31, 2012 in accordance with the parameters set out in the ordinance, authorizing related documents, and approving related fees.

Ordinance No. 20121108-069 was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.

70. Approve an ordinance authorizing the issuance of City of Austin Electric Utility System Revenue Refunding Bonds, Series 2012A, in a par amount not to exceed \$335,000,000 by December 31, 2012 in accordance with the parameters set out in the ordinance, authorizing related documents, and approving related fees.

Ordinance No. 20121108-070 was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 2:03 p.m.

EXECUTIVE SESSION CONTINUED

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

The Mayor announced that Council would discuss items number 16 and 54 on the regular agenda during Executive Session.

66. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071).
67. Discuss legal issues relating to the November 6, 2012 election (Private consultation with legal counsel - Section 551.071).

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 4:20 p.m.

Mayor Leffingwell recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 4:21 p.m. See separate minutes.

Mayor Leffingwell called the Council Meeting back to order at 4:31 p.m.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate action occurred on any of the items.

71. C14-2012-0028 - 3rd & Colorado - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 301 and 311 Colorado Street, and 114

West 3rd Street (Town Lake Watershed) from central business district-central urban redevelopment district (CBD-CURE) combining district zoning to central business district-central urban redevelopment district (CBD-CURE) combining district zoning, to change a condition of zoning. First reading approved on August 16, 2012. Vote 7-0. Applicant: S/H Austin Partnership (John Beauchamp). Agent: Winstead, P.C. (Stephen O. Drenner). City Staff: Clark Patterson, 974-7691.

This item was postponed on consent to December 13, 2012 at the applicant's request on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.

73. NPA-2012-0019.03 - 2814 San Pedro - Conduct a public hearing and approve an ordinance amending Ordinance No. 040826-056, the Central Austin Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2814 San Pedro Street (Shoal Creek) from Single Family to Multifamily land use. Staff Recommendation: To deny Multifamily land use. Planning Commission Recommendation: To be reviewed on November 27, 2012. Owner/Applicant: Cater Joseph. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Maureen Meredith, 974-2695.

This item was postponed on consent to December 6, 2012 at the staff's request on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.

74. NPA-2012-0018.02 - George Shia NPA - Conduct a public hearing and approve an ordinance amending Ordinance No. 040513-30, the Brentwood/Highland Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 828, 836, 900 and 902 Houston Street, and 5527 Sunshine Drive (Waller Creek Watershed) from Higher Density Single Family land use and Mixed Use/Office land use to Multifamily land use. Staff Recommendation: To grant Multifamily land use. Planning Commission Recommendation: To deny Multifamily land use. Owner/Applicant: George Shia. Agent: Coats, Rose, Yale, Ryman & Lee (John M. Joseph). City Staff: Maureen Meredith, 974-2695.

This item was postponed on consent to December 6, 2012 at the staff's request on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.

75. C14-2012-0052 - George Shia Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 828 Houston Street and 5527 Sunshine Drive (Waller Creek Watershed) from townhouse and condominium residence-neighborhood plan (SF-6-NP) and limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning to multifamily-high density-neighborhood plan (MF-5-NP) combining district zoning. Staff Recommendation: To grant multifamily-high density-neighborhood plan-conditional overlay (MF-5-NP-CO) combining district zoning. Planning Commission Recommendation: To deny multifamily-high density-neighborhood plan-conditional overlay (MF-5-NP-CO) combining district zoning. Applicant: George Shia. Agent: Coats, Rose, Yale, Ryman, & Lee (John Joseph). City Staff: Clark Patterson, 974-7691. A valid petition has been filed in opposition to this rezoning request.

This item was postponed on consent to December 6, 2012 at the staff's request on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.

76. C14-2009-0055.01 (formerly identified as C14-2012-0053) - Texas State Troopers Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5536-5540 North Lamar Boulevard (Waller Creek Watershed) from commercial-liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP) combining district zoning and general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning to commercial-liquor sales-mixed use-vertical mixed use building-conditional overlay-

neighborhood plan (CS-1-MU-V-CO-NP) combining district zoning and general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant commercial-liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP) combining district zoning and general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To deny commercial-liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP) combining district zoning and general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning, to change a condition of zoning. Applicant: Texas State Troopers Association (Claude Hart). Agent: Coats, Rose, Yale, Ryman, & Lee (John Joseph). City Staff: Clark Patterson, 974-7691.

This item was postponed on consent to December 6, 2012 at the staff's request on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.

77. C14-2012-0060 - 8401 South 1st Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8401 South 1st Street (South Boggy Creek Watershed) from development reserve (DR) district zoning and single family residence-standard lot (SF-2) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 1 and townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To be reviewed on November 6, 2012. Owner/Applicant: PV First Street Investors LLC (Joe Simmons). Agent: Aquila Commercial (Jim Gallegos). City Staff: Wendy Rhoades, 974-7719.

This item was postponed on consent to December 13, 2012 at the staff's request on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.

78. C14-2012-0097 - Little Woodrow's Bar & Restaurant - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5425 Burnet Road (Waller Creek Watershed) from general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning to commercial liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP) combining district zoning. Staff Recommendation: To approve commercial liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To approve commercial liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP) combining district zoning. Applicant: Rick Engel. Agent: Alice Glasco Consulting, Inc. (Alice Glasco). City Staff: Clark Patterson, 974-7691.

This item was postponed on consent to December 6, 2012 at the neighborhood's request on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.

79. C14-2012-0099 - Myers Zoning Change - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 6810 McNeil Drive (Rattan Creek Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay combining (LR-CO) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on November 6, 2012. Owner/Applicant: Connie and Cheryl Myers. Agent: Crocker Consultants (Sarah Crocker). City Staff: Sherri Sirwaitis, 974-3057.

The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for community commercial-conditional overlay combining (GR-CO)

district zoning was approved on consent on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.

80. C14-2012-0049 - 2104 W. Ben White Zoning Change - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2104 W. Ben White Boulevard Westbound (Williamson Creek Watershed) from family residence (SF-3) zoning to neighborhood commercial-mixed use (LR-MU) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use (LR-MU) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use (LR-MU) combining district zoning. Owner/Applicant: Curtis & Terry Sutherland (Robert Fien). City Staff: Heather Chaffin, 974-2122.

This item was postponed on consent to December 13, 2012 at the applicant's request on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.

81. C14-2012-0105 - 702 San Antonio Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 702 San Antonio Street (Shoal Creek Watershed) from downtown mixed use-historic landmark-conditional overlay (DMU-H-CO) combining district zoning to downtown mixed use-historic landmark-conditional overlay (DMU-H-CO) combining district zoning to change a condition of zoning. Staff Recommendation: To approve downtown mixed use-historic landmark-conditional overlay (DMU-H-CO) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To approve downtown mixed use-historic landmark-conditional overlay (DMU-H-CO) combining district zoning to change a condition of zoning. Applicant/Agent: HUO Architects (Tom Hatch). City Staff: Clark Patterson, 974-7691.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20121108-081 for downtown mixed use-historic landmark-conditional overlay (DMU-H-CO) combining district zoning to change a condition of zoning was approved on consent on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.

82. C14-2012-0108 - Ross Road Center - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 5501 1/2 Ross Road (Dry Creek East Watershed) from interim-single family residence-standard lot (SF-2) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 1 and neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 2. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tracts 1 and 2, with conditions. Zoning and Platting Commission Recommendation: To be reviewed on November 6, 2012. Owner/Applicant: Equinox Power Systems, Inc. (Daniel Wang; Farid Agahi). Agent: Land Answers (Jim Wittliff). City Staff: Wendy Rhoades, 974-7719.

This item was postponed on consent to December 13, 2012 at the staff's request on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.

83. C14-2008-0159(RCA) - 3rd & Colorado - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 301 and 311 Colorado Street, and 114 West 3rd Street (Town Lake Watershed) to amend a portion of the Restrictive Covenant as it relates to certain uses and development standards. Staff Recommendation: To grant an amendment to a portion of the Restrictive Covenant. Planning Commission Recommendation: To grant an amendment to a portion of the Restrictive Covenant. Applicant: S/H Austin Partnership (John Beauchamp). Agent: Winstead, P.C. (Stephen O. Drenner). City Staff: Clark Patterson, 974-7691.

This item was postponed on consent to December 13, 2012 at the applicant's request on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Mayor Pro Tem Cole was off the dais.

PUBLIC HEARINGS AND POSSIBLE ACTION

Items 86 through 91 were acted on in a combined motion.

86. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 (Zoning) to create the Central Austin - University Area Zoning Overlay District in which a group residential land use is a conditional use in the multi-family residence moderate-high density (MF-4) base zoning district.
This item was postponed to December 13, 2012 on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
87. Conduct a public hearing and consider an appeal by John Plyler regarding an Outdoor Music Venue permit issued for Cheer Up Charlie's, located at 1104 E 6th Street.
This item was withdrawn on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
88. Conduct a public hearing and consider an appeal by the owner Tamara Hoover regarding conditions placed on an Outdoor Music Venue permit issued for Cheer Up Charlie's, located at 1104 E 6th Street.
This item was withdrawn on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
89. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2, Subchapter C, Article 3, Division 9 (University Neighborhood Overlay District Requirements) relating to affordable housing regulations in the university neighborhood overlay (UNO) district.
This item was postponed to December 6, 2012 on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
90. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2, Subchapter C, Article 3, Division 9 (University Neighborhood Overlay District Requirements) relating to the local uses, development standards, and requirements for compliance within the university neighborhood overlay (UNO) district.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20121108-090 was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
91. Conduct a public hearing and consider an ordinance amending Chapter 25-2-476, relating to the requirements for granting special exceptions from setback regulations.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20121108-091 was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.

DISCUSSION ITEMS CONTINUED

16. Approve a resolution adopting the City's Legislative Program for the 83rd Texas Legislative Session.
Resolution No. 20121108-016 was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.
31. Approve an ordinance annexing the Estancia Hill Country/Wunneburger Strange annexation area for full purposes (approximately 619 acres in southern Travis County west of IH 35 South approximately eight-

tenths of a mile south of the intersection of IH 35 South and Onion Creek Parkway), and approving a service plan.

The first reading of the ordinance was approved on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote. Direction was given to staff to look at the assessment of superiority and provide Council with a chart showing the various categories to be discussed in greater detail on second reading and a diagram of the property along I-35.

DISCUSSION ITEMS CONTINUED

Items 35 and 36 were acted on in a combined motion.

35. Approve an ordinance annexing the Dessau Business Park annexation area for full purposes, (approximately 146 acres in northeastern Travis County east of the intersection of Dessau Road and Howard Lane), and approving a service plan. Related to Item #36.

Ordinance No. 20121108-035 was approved on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

36. Approve an ordinance adopting the Saathoff Family Annexation and Development Agreement for approximately 6.71 acres in northeastern Travis County at the southwestern corner of the intersection of Howard Lane and Old Gregg Lane. Related to Item #35

Ordinance No. 20121108-036 was approved on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

Mayor Leffingwell recessed the Council Meeting at 5:24 p.m.

LIVE MUSIC

Mayeux + Broussard

PROCLAMATIONS

Proclamation -- Veterans Day -- to be presented by Mayor Lee Leffingwell and to be accepted by Vic Mathias and Commissioner James Scott

Proclamation -- Keep Austin Beautiful's Generation Zero Program -- to be presented by Mayor Lee Leffingwell and to be accepted by Rodney Ahart and Bob Gedert

Proclamation -- National Diabetes Month -- to be presented by Mayor Lee Leffingwell and to be accepted by Dr. Phil Huang and Dr. Daniel Crowe

Proclamation -- Homeless Memorial's 10th Anniversary -- to be presented by Council Member Laura Morrison and to be accepted by Richard Troxell

Proclamation -- Pancreatic Cancer Month -- to be presented by Council Member Bill Spelman and to be accepted by representatives of PanCan

Distinguished Service Award -- Karen Gross, Anti-Defamation League -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by the honoree

Proclamation -- Pancreatic Cancer Month

Certificate of Congratulations -- Settlement Club -- to be presented by Council Member Kathie Tovo and to be accepted by Megan Zellner and Andi Kelly

Mayor Leffingwell called the Council Meeting back to order at 7:06 p.m.

DISCUSSION ITEMS CONTINUED

51. Approve an ordinance amending City Code Chapter 13-1 relating to temporary helistops. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Kathie Tovo)
Ordinance No. 20121108-051 was approved on Council Member Morrison's motion, Council Member Tovo's second on a 6-1 vote. Mayor Leffingwell voted nay.
52. Approve a resolution directing the City Manager to work with stakeholders to recommend amendments to City Code Chapter 13-1 and Title 25 relating to permanent and temporary heli-facilities. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Kathie Tovo)
Resolution No. 20121108-052 was approved on Council Member Morrison's motion, Council Member Tovo's second on a 7-0 vote.
54. Approve a resolution directing the City Manager to negotiate and execute an interlocal agreement with the Texas Facilities Commission to participate in the Texas Facilities Commission's master planning efforts for sites located in the City. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member William Spelman CO 2: Council Member Chris Riley)
Resolution No. 20121108-054 with the following amendment was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 6-1 vote. Council Member Morrison voted nay. The amendment was to amend the "BE IT RESOLVED" section of the resolution to give direction to the City Manager to negotiate the interlocal agreement and bring back on December 6, 2012 for approval.

Direction was given to staff to include the neighbors, contact teams and associations in the process prior to coming back to Council on December 6, 2012.

ZONING DISCUSSION ITEMS

84. C14-2012-0106 - 5th & San Jacinto Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 300 East 5th Street (Town Lake Watershed) from central business district (CBD) district zoning to central business district-central urban redevelopment district (CBD-CURE) combining district zoning. Staff Recommendation: To grant central business district-central urban redevelopment district (CBD-CURE) combining district zoning. Planning Commission Recommendation: To grant central business district-central urban redevelopment district (CBD-CURE) combining district zoning. Applicant: Harry Whittington, Mercedes Whittington, Sally May, Mercedes Greg, Margaret Puckett Trust, Sara May Trust, Caroline Puckett Trust, Michael May Trust, Camille May Trust, William Puckett Trust, Claire Whittington Trust. Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Clark Patterson, 974-7691.
The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for central business district-central urban redevelopment district (CBD-CURE) combining district zoning was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Council Member Tovo voted nay. The proposal under the CURE modifications is as follows:
- **Increase the floor to area ration to 13 to 1;**
 - **Allow off street loading facilities and trash receptacles to be located and loaded and unloaded from the alley;**
 - **To modify the minimum parking requirements to 105 spaces; and**
 - **To modify the number and size of off street loading requirements to one 10 x 40 foot space, modification to section 25-6-592F.**

72. C14-2012-0063 - Christian Life Austin - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4700 West Gate Boulevard and 4701 Sunset Trail (Williamson Creek Watershed) from single family residence-standard lot (SF-2) district zoning, single family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning, multi-family residence-low density (MF-2) district zoning, and multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning to general office-conditional overlay (GO-CO) combining district zoning. First reading approved on September 27, 2012. Vote: 5-1, Council Member Riley voted nay; Council Member Martinez was off the dais. Owner/Applicant: Christian Life Church of Austin (Josh Reynolds). Agent: Enabler Design (DeVon Wood). City Staff: Wendy Rhoades, 974-7719.

There was a motion made by Council Member Morrison and seconded by Council Member Tovo to approve the second reading of the ordinance for general office-conditional overlay (GO-CO) combining district zoning with the following conditions. The conditions were to:

- **set a 2,000 trip limitation;**
- **restrict the property to religious assembly only; and**
- **prohibit access to Sunset Trail and Windswept Cove.**

There was a substitute motion made by Council Member Spelman and seconded by Mayor Leffingwell to approve the ordinance with access to Windswept Cove. The motion failed on a vote of 2-5. Those voting aye were: Mayor Leffingwell and Council Member Spelman. Those voting nay were: Mayor Pro Tem Cole and Council Members Martinez, Morrison, Riley and Tovo.

The second reading of the ordinance for general office-conditional overlay (GO-CO) combining district zoning with the above conditions was approved on Council Member Morrison's motion, Council Member Tovo's second on a 6-1 vote. Council Member Riley voted nay.

DISCUSSION ITEM CONTINUED

7. Approve an ordinance changing the name of ARENA DRIVE to SHORE DISTRICT DRIVE for purposes of neighborhood enhancement as authorized by City Code Chapter 14-5 (Street Name Change). **There was a motion to deny the ordinance and retain the Arena Drive name that was made by Council Member Morrison and seconded by Council Member Tovo. The substitute motion to postpone the items to December 6, 2012 with direction to staff to bring back an option that would retain "Arena" in the name was approved on Mayor Pro Tem Cole's motion, Council Member Martinez' second on a 4 to 3 vote. Those voting aye were: Mayor Pro Tem Cole and Council Members Martinez, Morrison and Riley. Those voting nay were: Mayor Leffingwell and Council Members Spelman and Tovo.**

The motion to waive the rules and allow Council to meet after 10:00 p.m. was approved on Council Member Spelman's motion, Council Member Morrison's second on a 5-0 vote. Mayor Leffingwell and Council Member Martinez were off the dais.

PUBLIC HEARINGS AND POSSIBLE ACTION CONTINUED

Items 92-97 were acted on in a combined motion.

92. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 to create the East Riverside Corridor (ERC) zoning district, adopt a regulating plan for the district, amend Subchapter E: Design Standards & Mixed Use to exempt the ERC zoning district, and approve a collector street plan for the East Riverside Corridor Area on property located along or in proximity to East Riverside Drive, between IH-35 on the west and State Highway 71 on the east.

The public hearing was conducted and the motion to close the public hearing and postpone action on this item to December 6, 2012 was approved on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 6-1 vote. Council Member Spelman voted nay.

93. NPA-2012-0021.02 - East Riverside Corridor Regulating Plan (East Riverside/Oltorf Combined (ERO) Neighborhood Planning Area) - Conduct a public hearing and consider an ordinance amending Ordinance No. 20061116-055, an element of the Imagine Austin Comprehensive Plan by adopting the East Riverside Corridor Regulating Plan and changing the future land use designations of approximately 815 acres from various future land use designations to Specific Regulating District (SRD), on property in the ERO Neighborhood Planning Area located along or in proximity to East Riverside Drive, between IH-35 on the west and Grove Boulevard on the east (Harper's Branch Watershed, Town Lake Watershed, Country Club East Creek Watershed, Country Club West Creek Watershed, Carson Creek Watershed). Staff Recommendation: To grant Specific Regulating District. Planning Commission Recommendation: To grant Specific Regulating District, with conditions. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856.

The public hearing was conducted and the motion to close the public hearing and postpone action on this item to December 6, 2012 was approved on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 6-1 vote. Council Member Spelman voted nay.

94. NPA-2012-0005.04 - East Riverside Corridor Regulating Plan (Montopolis Neighborhood Planning Area) - Conduct a public hearing and consider an ordinance amending Ordinance No. 010927-05, an element of the Imagine Austin Comprehensive Plan by adopting the East Riverside Corridor Regulating Plan and changing the future land use designations of approximately 271 acres from various future land uses designations to Specific Regulating District (SRD), on property in the Montopolis Neighborhood Planning Area located along or in proximity to East Riverside Drive, between Grove Boulevard on the west and State Highway 71 on the east (Country Club East Creek Watershed, Carson Creek Watershed, Colorado River Watershed). Staff Recommendation: To grant Specific Regulating District. Planning Commission Recommendation: To grant Specific Regulating District, with conditions. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856.

The public hearing was conducted and the motion to close the public hearing and postpone action on this item to December 6, 2012 was approved on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 6-1 vote. Council Member Spelman voted nay.

95. C14-2012-0111a - East Riverside Corridor Regulating Plan (East Riverside Neighborhood Planning Area) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning 13 tracts (approximately 228 acres) within the East Riverside Corridor Regulating Plan boundaries, on property in the East Riverside Neighborhood Planning Area located along or in proximity to East Riverside Drive, between IH-35 on the west and Pleasant Valley Road on the east (Harper's Branch Watershed, Town Lake Watershed, Country Club West Creek Watershed) from unzoned, rural residence-neighborhood plan (RR-NP) combining district zoning, multi-family residence-low density (MF-2) district zoning, multi-family residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning, multi-family residence-medium density (MF-3) district zoning, multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning, multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning, multi-family residence-moderate-high density (MF-4) district zoning, multi-family residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning, multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning, limited office-neighborhood plan (LO-NP) combining district zoning, limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning, general office-neighborhood plan (GO-NP) combining district zoning, general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, general office-mixed-use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning, neighborhood commercial-neighborhood plan (LR-NP)

combining district zoning, neighborhood commercial-vertical mixed use building-conditional overlay-neighborhood plan (LR-V-CO-NP) combining district zoning, community commercial (GR) district zoning, community commercial-conditional overlay (GR-CO) combining district zoning, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, community commercial-neighborhood plan (GR-NP) combining district zoning, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, warehouse/limited office-conditional overlay-neighborhood plan (W/LO-CO-NP) combining district zoning, general commercial services (CS) district zoning, general commercial services-conditional overlay (CS-CO) combining district zoning, general commercial services-neighborhood plan (CS-NP) combining district zoning, general commercial services-mixed-use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, commercial-liquor sales (CS-1) district zoning, commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning, commercial-liquor sales-mixed-use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning, and lake commercial-conditional overlay-neighborhood plan (L-CO-NP) combining district zoning to East Riverside Corridor (ERC) district zoning. The proposed zoning changes will implement the land use recommendations of the adopted East Riverside Corridor (ERC) Master Plan. Staff Recommendation: To grant East Riverside Corridor (ERC) district zoning. Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, with conditions. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856.

The public hearing was conducted and the motion to close the public hearing and postpone action on this item to December 6, 2012 was approved on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 6-1 vote. Council Member Spelman voted nay.

96. C14-2012-0111b - East Riverside Corridor Regulating Plan (Pleasant Valley Neighborhood Planning Area) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning 25 tracts (approximately 365 acres) within the East Riverside Corridor Regulating Plan boundaries, on property in the Pleasant Valley Neighborhood Planning Area located along or in proximity to East Riverside Drive, between Pleasant Valley Road on the west and Grove Boulevard on the east (Country Club East Creek Watershed, Country Club West Creek Watershed) from rural residence (RR) district zoning, rural residence-neighborhood plan (RR-NP) combining district zoning, single family residence-large lot-neighborhood plan (SF-1-NP) combining district zoning, single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning, family residence-neighborhood plan (SF-3-NP) combining district zoning, multi-family residence-low density (MF-2) district zoning, multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning, multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning, multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning, multi-family residence-moderate-high density (MF-4) district zoning, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning, general office-mixed-use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning, neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning, neighborhood commercial-neighborhood plan (LR-NP) combining district zoning, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning, community commercial (GR) district zoning, community commercial-conditional overlay (GR-CO) combining district zoning, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, community commercial-neighborhood plan (GR-NP) combining district zoning, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning, warehouse/limited office-conditional overlay-neighborhood plan (W/LO-CO-NP) combining district zoning, general commercial services (CS) district zoning, general commercial services-conditional overlay (CS-CO) combining district zoning, general commercial services-mixed-use-neighborhood plan (CS-MU-NP) combining district zoning, commercial-liquor sales (CS-1) district zoning, commercial-liquor sales-neighborhood

plan (CS-1-NP) combining district zoning, industrial park-neighborhood plan (IP-NP) combining district zoning, and limited industrial service-neighborhood plan (LI-NP) combining district zoning to East Riverside Corridor (ERC) district zoning. The proposed zoning changes will implement the land use recommendations of the adopted East Riverside Corridor (ERC) Master Plan. Staff Recommendation: To grant East Riverside Corridor (ERC) district zoning. Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, with conditions. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856.

The public hearing was conducted and the motion to close the public hearing and postpone action on this item to December 6, 2012 was approved on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 6-1 vote. Council Member Spelman voted nay.

97. C14-2012-0112 - East Riverside Corridor Regulating Plan (Montopolis Neighborhood Planning Area) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning 11 tracts (approximately 235 acres) within the East Riverside Corridor Regulating Plan boundaries, on property located in the Montopolis Neighborhood Planning Area along or in proximity to East Riverside Drive, between Grove Boulevard on the west and State Highway 71 on the east (Country Club East Creek Watershed, Carson Creek Watershed, Colorado River Watershed) from rural residence-neighborhood plan (RR-NP) combining district zoning, family residence-neighborhood plan (SF-3-NP) combining district zoning, single family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning, multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning, multi-family residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning, multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning, multi-family residence-medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning, neighborhood commercial-neighborhood plan (LR-NP) combining district zoning, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning, community commercial-neighborhood plan (GR-NP) combining district zoning, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, general commercial services-neighborhood plan (CS-NP) combining district zoning, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and limited industrial service-neighborhood plan (LI-NP) combining district zoning to East Riverside Corridor (ERC) district zoning. The proposed zoning changes will implement the land use recommendations of the adopted East Riverside Corridor (ERC) Master Plan. Staff Recommendation: To grant East Riverside Corridor (ERC) district zoning. Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, with conditions. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856.

The public hearing was conducted and the motion to close the public hearing and postpone action on this item to December 6, 2012 was approved on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 6-1 vote. Council Member Spelman voted nay.

Mayor Leffingwell adjourned the meeting at 11:33 p.m. without objection.

The minutes were approved on this the 6th day of December 2012 on Council Member Spelman's motion. Mayor Pro Tem Cole's second on a 7-0 vote.